

1 IN THE CIRCUIT COURT OF THE FIRST CIRCUIT
2 STATE OF HAWAII

4 KELLEY WOODRUFF, M.D., and HAWAII CHILDREN'S
5 BLOOD AND CANCER GROUP,
Plaintiffs,

6 Civil No. 02-1-0090-01 (BIA)
vs.

8 HAWAI'I PACIFIC HEALTH; KAPI'OLANI MEDICAL
9 SPECIALISTS; KAPI'OLANI MEDICAL CENTER FOR WOMEN AND
10 CHILDREN; ROGER DRUE; FRANCES A. HALLONQUIST; NEAL
11 WINN, M.D.; SHERREL HAMMAR, M.D.; DELOITTE & TOUCHE
LLP; DENNIS M. WARREN, ESQ.; JOHN DOES 1-99; JANE
DOES 1-99; DOE ENTITIES 1-20; AND DOE GOVERNMENTAL
UNITS 1-10,
12 Defendants.

REPOSITION OF ROBERT W. WILKINSON, M.D.

15 VOLUME II

24 BEFORE: DENNIS J. YANKEE, CSR NO. 285

25 Certified Shorthand Reporter

13:10 1 Q. We probably crossed paths back then.

10 2 A. We did probably.

13:10 3 Q. You said you were married. How many

4 children do you have?

13:10 5 A. Two children.

13:10 6 Q. And where are they?

13:10 7 A. My daughter is a school teacher in San

8 Francisco. She lives in the Mill Valley area. She's

9 40 years old. My son is 38. He works for

10 KLA-Tencor, which is a semiconductor company in San

11 Jose, and he lives there with his daughter.

13:10 12 Q. Are you licensed to practice medicine in

13 any state other than Hawaii?

+ :11 14 A. No.

13:11 15 Q. And your board certifications are in what

16 area, Doctor?

13:11 17 A. Pediatrics and pediatric hematology and

18 oncology.

13:11 19 Q. And when were you board certified in

20 pediatrics originally?

13:11 21 A. I believe in 1972, if I recall.

13:11 22 Q. And then in hematology/oncology?

13:11 23 A. 1976.

13:11 24 Q. What institutions, at what institutions at

25 this time do you have privileges?

13:11 1 A. At Kapi'olani Medical Center, Queen's
2 Medical Center, courtesy privileges at St. Francis
3 Medical Center, and I'm not sure about my status at
4 Kaiser. I did have courtesy privileges, and those
5 may have lapsed, I'm not sure of that.

13:11 6 Q. At the time you resigned from your
7 employment at KMS, did you have privileges at the
8 same institutions you just mentioned?

13:12 9 A. Yes.

13:12 10 Q. Approximately what years did you obtain
11 medical staff membership at the various institutions
12 you just mentioned?

13:12 13 A. At Kapiolani, it was actually called
14 Kauaikeolani over on Kuakini Street, that would have
15 been in July of 1974, and continuously since then.
16 There was a Kapiolani Women's Hospital, and I had
17 privileges there at that time, and then they were
18 kind of brought together.

13:12 19 St. Francis, the privileges started in
20 1977. Queen's Hospital, 1974, when I returned to the
21 islands. And the privileges at Kaiser started, to
22 the best of my knowledge, late '70s, when I started
23 seeing their patients, probably '76, '78.

13:13 24 Q. And have you admitted patients to each of
25 the four institutions you have mentioned?

17:58 1 C E R T I F I C A T E

58 2 STATE OF HAWAII)

17:58 3) SS.

17:58 4 CITY AND COUNTY OF HONOLULU)

17:58 5

17:58 6 I, DENNIS J. YANKEE, do hereby certify;

17:58 7 That on October 14, 2005, at 1:03 p.m.

8 appeared before me ROBERT W. WILKINSON, M.D., the

9 witness whose deposition is contained herein; that

10 prior to being examined he was by me duly sworn;

17:58 11 That the deposition was taken down by me in

12 machine shorthand and was thereafter reduced to

13 typewritten form under my supervision; that the

14 foregoing represents to the best of my ability, a

15 true and correct transcript of the proceedings had in

16 the foregoing matter.

17:58 17 I further certify that I am not an attorney

18 for any of the parties hereto, nor in any way

19 concerned with the cause.

17:58 20 DATED this 22nd day of October, 2005, in

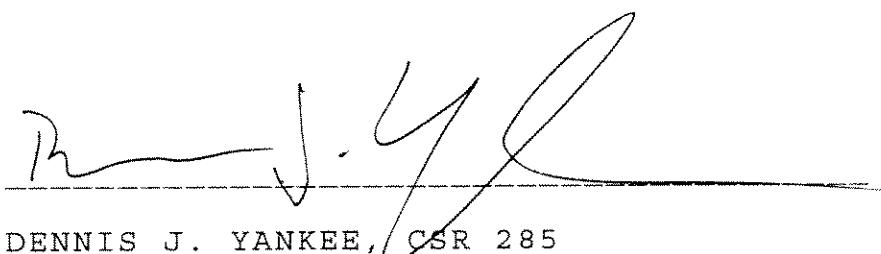
21 Honolulu, Hawaii.

17:58 22

17:58 23

17:58 24

17:58 25 DENNIS J. YANKEE, CSR 285



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13 LLP; DENNIS M. WARREN, ESQ.; JOHN DOES 1-99; JANE
14 DOES 1-99; DOE ENTITIES 1-20; AND DOE GOVERNMENTAL
15 UNITS 1-10,
16 Defendants.

17 -----

18 DEPOSITION OF ROBERT W. WILKINSON, M.D.

19 VOLUME II

20 Taken on behalf of the Defendants Hawai'i
21 Pacific Health, Kapi'olani Medical Specialists,
22 Kapi'olani Medical Center for Women and Children,
23 Roger Drue, Frances a. Hallonquist, Neal Winn, M.D.,
24 and Sherrel Hammar, M.D., at the office of Robbins &
25 Associates, 841 Bishop Street, Suite 2200, Honolulu,
 Hawaii 96813, commencing at 1:14 p.m., on October
 15, 2005, pursuant to Notice.

26 BEFORE: DENNIS J. YANKEE, CSR NO. 285

27 Certified Shorthand Reporter

1 include things that we normally would not think, you
2 know, are disruptive.

13:57 3 Q. Okay, Doctor, you may look at your notes
4 again. What other instances of antitrust or
5 monopolistic conduct of my clients have harmed HCBCG
6 financially?

13:57 7 A. I do believe that I mentioned also
8 Mr. Dennis Warren's comment, comments, at the
9 remedial session that was held, I don't recall if
10 it's late July or early August, that all of the KMS
11 physicians went to.

13:57 12 I recall that there were a number of
13 sessions to include all of the physicians and, as I
14 stated yesterday, he and other administrators and
15 other support staff discussed levels of
16 noncompliance.

13:58 17 And as I recall there were six levels,
18 three that were acceptable and innocent, and four
19 others. And he moved on to the fourth level, which
20 is, which is not as bad as six, but is an intentional
21 form of fraud that one might do, and so this was a
22 discussion.

13:58 23 He did not use Doctor Woodruff's and my
24 name, but he said we're having these sessions because
25 that we need to go over them again, that there have

1 been some errors, and that physicians in your group
2 have, have, have committed a level of, of intentional
3 fraud.

13:59 4 And there was, although he did not use our
5 name, everybody was aware of the voluntary disclosure
6 by then, and, and the Deloitte & Touche depositions
7 and their findings.

13:59 8 And we were certain -- all of our
9 colleagues were there, the room was at least 30 or 40
10 physicians, and they all heard these comments. And
11 this was by an attorney and counsel to the hospital
12 who publicly accused us of doing fraud. Everybody in
13 the room knew who he was talking about.

. :59 14 Q. I'm sure Mr. Nishimoto will follow-up on
15 this later today but, just out of curiosity, did
16 Dennis Warren use the word "fraud"?

13:59 17 A. I don't recall -- I'm sorry.

13:59 18 Q. I was going to go on to say -- now I'll
19 restart the question. Did Mr. Warren use the word
20 "fraud" when he was referring to physicians in your
21 group? And I think you testified that it probably
22 would have been clear to everybody in the group when
23 he was talking about physicians in your group he was
24 probably talking about you and Doctor Woodruff.

:00 25 When he made that reference, did he say,

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16:39 6 I, DENNIS J. YANKEE, do hereby certify;

16:39 7 That on October 15, 2005, at 1:14 p.m.

8 appeared before me ROBERT W. WILKINSON, M.D., the

9 witness whose deposition is contained herein; that

10 prior to being examined he was by me duly sworn;

16:39 11 That the deposition was taken down by me in

12 machine shorthand and was thereafter reduced to

13 typewritten form under my supervision; that the

14 foregoing represents to the best of my ability, a

15 true and correct transcript of the proceedings had in

16 the foregoing matter.

16:39 17 I further certify that I am not an attorney

18 for any of the parties hereto, nor in any way

19 concerned with the cause.

16:39 20 DATED this 23rd day of October, 2005, in

21 Honolulu, Hawaii.

16:39 22

16:39 23

16:39 24

:39 25 DENNIS J. YANKEE, CSR 285

